

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Brian Walsh  
DOCKET NO.: 04-23650.001-R-1  
PARCEL NO.: 18-07-216-034-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Brian Walsh, the appellant, by attorney Edwin Wittenstein of Worssek & Vihon LLP of Chicago and the Cook County Board of Review (board).

The subject property consists of a four-year-old, two-story single-family dwelling of stucco construction containing 4,982 square feet of living area and located in Lyons Township, Cook County. The residence contains three and one half bathrooms, a full basement, air conditioning, fireplaces and a three-car garage. The subject enjoys an 83.6 occupancy factor resulting in a partial improvement assessment.

The appellant's counsel submitted evidence before the PTAB claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered six suggested comparable properties located within three blocks of the subject. These properties consist of two-story single-family dwellings of frame, masonry or frame and masonry construction and range in age from one to six years. The comparables have two, three or four bathrooms with half-baths and have full or partial basements, three finished. All homes are air-conditioned and have fireplaces. All sites have two, three or four-car garages. The comparables contain between 3,935 and 4,531 square feet of living area and have improvement assessments ranging from \$60,621 to \$72,054 or from \$14.29 to \$16.55 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board submitted its "Board of Review Notes on Appeal" wherein the subject's final full improvement assessment of \$95,598, or \$19.19 per square foot of living area, was disclosed. In support of the subject's assessment, the board offered three suggested

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the COOK County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$10,044  
IMPR. \$71,023  
TOTAL: \$81,067

Subject only to the State multiplier as applicable.

PTAB/TMcG.

comparable properties located within a quarter mile of the subject. The comparables consist of two-story single-family dwellings of frame or stucco construction and range in age from four to ten years. The comparables contain two or three bathrooms with half baths, two with full finished basements; all have fireplaces and air conditioning and one or two-car garages. The comparables contain between 3,884 and 4,264 square feet of living area and have improvement assessments of between \$79,751 and \$81,077 or from \$18.92 to \$20.87 per square foot of living area. Based on this evidence, the board requested confirmation of the subject property's assessment.

After reviewing the record and considering the evidence, the PTAB finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the PTAB finds the appellant has overcome this burden.

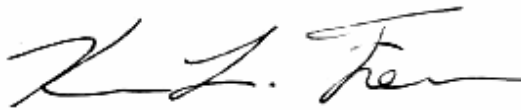
The PTAB finds the appellant's comparables one, three and six are the comparables more similar to the subject. These three properties have improvement assessments ranging from \$14.29 to \$16.44 per square foot of living area. The subject's per square foot improvement assessment of \$19.19 is above this range of properties. The PTAB affords less weight to the remaining comparables because they are less similar to the subject in living area and/or age. After considering the differences in both parties' suggested comparables when compared to the subject property, the PTAB finds the evidence is sufficient to effect a change the subject's assessed value.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has adequately demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and a reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member

Member

Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: February 29, 2008



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the

session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.